

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WALKER DIGITAL, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-cv-96 (GMS)
)	
WAL-MART STORES, INC.,)	
)	
Defendant.)	
_____)	

ORDER

WHEREAS, on January 16, 2013, Walker Digital, LLC (“Walker”) filed a complaint against Wal-Mart Stores, Inc. (“Wal-Mart”) alleging infringement of U.S. Patent No. 6,381,582 (“582 patent”) (D.I. 1);

WHEREAS, on March 11, 2013, Wal-Mart filed a motion to dismiss for failure to state a claim arguing that the ‘582 patent claims an unpatentable abstract idea (D.I. 8);

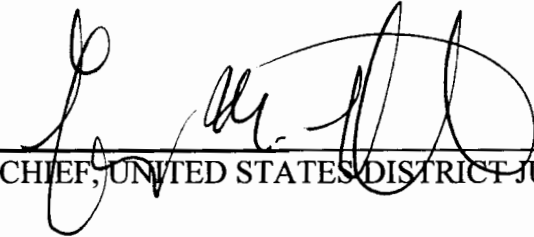
WHEREAS, on March 28, 2013, Walker filed an opposition to Wal-Mart’s motion to dismiss (D.I. 10);

WHEREAS, on April 8, 2013, Wal-Mart filed a reply to Walker’s opposition brief (D.I. 12);

WHEREAS having considered Wal-Mart’s motion to dismiss for failure to state a claim, the parties’ submissions in connection with the motion to dismiss, and the relevant law, the court concludes that Wal-Mart’s motion to dismiss should be denied;

IT IS HEREBY ORDERED that Wal-Mart's motion to dismiss for failure to state a claim is DENIED.

Dated: December 6, 2013



CHIEF, UNITED STATES DISTRICT JUDGE